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VILORIA,  
OLIPHANT,  
OSTER &  
AMAN L.L.P.

UNITED STATES OF AMERICA  
Plaintiff,  
vs.  
FRANCISCO NAVARRO-DELGADO,  
Defendant.

3:21-cr-00012-LRH-CSD

**ORDER APPROVING**

**STIPULATION TO CONTINUE  
SENTENCING**

IT IS HEREBY STIPULATED AND AGREED by and through THOMAS E. VILORIA, counsel for FRANCISCO NAVARRO-DELGADO, CHRISTOPHER CHIOU, Acting United States Attorney, and ANDOLYN JOHNSON, Assistant United States Attorney, counsel for UNITED STATES OF AMERICA; that the sentencing set for March 10, 2022 11:00 a.m. be continued to May 3, 2022, 11:00 a.m.

The continuance is necessary for the following reasons: Due to counsels' ongoing additional investigation into mitigating factors, the likelihood of motions being filed before sentencing and the need for additional time to effectively prepare for and present each party's sentencing position.

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1 The defendant, who is out of custody, is in agreement that his counsel needs the  
2 additional time and consents to continuance of the sentencing

DATED this 22 day of February, 2022.

/s/ Andolyn Johnson

ANDOLYN JOHNSON  
Asst. United States Attorney  
Counsel for Government

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THOMAS E. VILORIA  
VILORIA, OLIPHANT  
OSTER & AMAN, L.L.P.  
Counsel for FRANCISCO NAVARRO-DELGADO

I, FRANCISCO NAVARRO-DELGADO, hereby consent to the above and foregoing Stipulation to Continue Sentencing.

**DATED** this 22 day of February, 2022.

Francisco Navarro-Delgado

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VILORIA,  
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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

六六六

UNITED STATES OF AMERICA

3:21-cr-00012-LRH-CSD

Plaintiff,

VS.

FRANCISCO NAVARRO-DELGADO,

## **Findings of Fact, Conclusions of Law and Order**

Defendant.

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## FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The continuance is necessary for the following reasons. First, the failure to grant this continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

2. The defendant does not oppose the continuance.

3. The parties will need additional time to conduct investigation into mitigating factors and there is a likelihood of motions being filed before sentencing.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the defendant sufficient time to complete necessary research and prepare for sentencing

5. Denial of this request for continuance would deny counsel for the defendant sufficient time to effectively and thoroughly prepare, taking into account the exercise of due diligence.

This is the second stipulation to continue the sentencing filed herein.

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## CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

## ORDER

IT IS THEREFORE ORDERED that the sentencing currently scheduled for March 10, 2022, at 11:00 a.m. be vacated and continued to May 3, 2022, at 11:00 a.m.

DATED this 23<sup>rd</sup> day of February, 2022.

  
Alvin Hellerstein  
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT JUDGE**

VILORIA,  
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OSTER &  
AMAN L.L.P.  
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